

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

UNITED STATES OF AMERICA )  
 )  
 )  
 ) No. 3:06-CR-148  
V. ) (VARLAN/SHIRLEY)  
 )  
 )  
 )  
KEITH O'BRYAN SMITH )

MEMORANDUM AND ORDER

Upon motion of the defendant, and for good cause shown, and to preserve the integrity of the video tape in question, the Knoxville Police Department in general and Officer Bill Smith in particular are ordered to produce the video tape in Officer Joshua McAllister's cruiser on November 6, 2006. Said production is to be jointly given to Assistant United States Attorney Tracee Plowell and the defendant's counsel, Phil Lomonaco on February 6, 2007, and is to be brought immediately to the Court and provided directly to Magistrate Judge Shirley.

**ENTERED:**

s/ C. Clifford Shirley, Jr.  
United States Magistrate Judge